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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JAMES E. WISCHMEIER,  
Plaintiff,

3:13-cv-00504-HDM-WGC

vs.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security  
Defendant.

ORDER ADOPTING  
MAGISTRATE JUDGE'S  
REPORT AND  
RECOMMENDATION

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The court has considered the report and recommendation of the United States Magistrate Judge (#20) filed on September 24, 2014, in which the Magistrate Judge recommends that plaintiff's motion for reversal of the Commissioner's decision (#11) be granted, and that defendant's cross-motion for summary judgment (#18) be denied, and that the decision of the Administrative Law Judge be reversed. The court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

1 ADOPTS AND ACCEPTS the report and recommendation of the  
2 United States Magistrate Judge (#20). The plaintiff's motion for  
3 reversal of the Commissioner's decision (#11) is granted and  
4 defendant's cross-motion for summary judgment (#18) is denied. The  
5 case is hereby remanded to the ALJ for the calculation and award of  
6 benefits.

7 It is so ORDERED.

8 Dated this 30th day of December, 2014.

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12 UNITED STATES DISTRICT JUDGE  
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